

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

SHERMAN MACK,)	
)	1:21-CV-00004-RAL
Plaintiff)	
)	RICHARD A. LANZILLO
vs.)	Chief United States Magistrate Judge
)	
SUPERINTENDENT CLARK,)	ORDER ON MOTION TO OPPOSE
SUPERINTENDENT AT SCI ALBION;)	MEDIATION
DEPUTY ADAMS, DEPUTY AT SCI)	
ALBION; DEPUTY ENNIS, DEPUTY AT)	ECF NO. 106
SCI ALBION; JOHN DOE 1, PRC BOARD)	
MEMBER AT SCI ALBION; JOHN DOE 2,)	
PRC BOARD MEMBER AT SCI ALBION;)	
JOHN DOE 3, PRC BOARD MEMBER AT)	
SCI ALBION; JOHN DOE 4, PRC BOARD)	
MEMBER AT SCI ALBION; SECRETARY)	
JOHN WETZEL, LT. SISSEM, CAPTAIN)	
FLOYD, SGT. KEMP, MAJOR GILL,)	
)	
Defendants)	

Pending before the Court is Plaintiff Sherman Mack’s Motion to Oppose Mediation. ECF No. 106. On November 20, 2023, the Court issued an order (ECF No. 105) referring this case to mediation pursuant to the Parties’ joint Stipulation Selecting ADR Process (ECF Nos. 94, 104). About a month later, Mack filed the instant motion “oppos[ing] the court ordered mediation” because he “is unable to afford this service.” ECF No. 106. Mack has since represented to the Court his desire to proceed to mediation if the ADR fee is waived. Mack is reminded that Local ADR Policies and Procedure 3.3(C) instructs “a party who demonstrates a financial inability to pay all or part of” their pro rata mediation fee to “request the Court to appoint a mediator who has agreed to serve pro bono.” Given the availability of a procedure for requesting a mediation fee waiver, Mack’s Motion to Oppose Mediation (ECF No. 106) is DENIED.

DATED this 3rd day of January, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. A. Lanzillo", written over a horizontal line.

RICHARD A. LANZILLO
CHIEF UNITED STATES MAGISTRATE JUDGE